

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

ANTHONY W. SPENCER,

Plaintiff,

VS.

THE UNITED STATES,

Defendant.

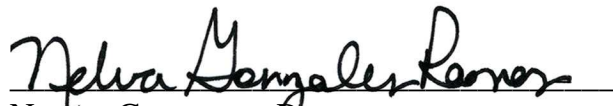
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CIVIL ACTION NO. 2:13-CV-00079

ORDER

Before the Court is the Defendant's Motion to Dismiss (D.E. 6). Defendant seeks dismissal of this action pursuant to Fed. R. Civ. P. 12(b)(6) because the Complaint does not allege sufficient facts to state a claim that is plausible on its face as required by *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 127 S.Ct. 1955, 1966 (2007) and *Ashcroft v. Iqbal*, 556 U.S. 662, 129 S.Ct. 1937 (2009). Plaintiff's Response (D.E. 9) added some argument and authorities, but the only additional "facts" offered were: (1) an affidavit that is conclusory hearsay regarding events in 2001 and before; and (2) medical information that is devoid of facts that connect any medical condition to any conduct of the Defendant. Plaintiff has failed to state facts that supply the Defendant with fair notice of the claims made against it. The Motion to Dismiss (D.E. 6) is GRANTED and this action is dismissed.

ORDERED this 24th day of June, 2013.


NELVA GONZALES RAMOS
UNITED STATES DISTRICT JUDGE